

ASSEMBLY BILL

No. 1238

Introduced by Assembly Member Plescia

February 23, 2007

An act to amend Section 25132 of the Government Code, relating to county ordinances.

LEGISLATIVE COUNSEL'S DIGEST

AB 1238, as introduced, Plescia. County ordinances: penalties for violation.

Existing law provides that a violation of an ordinance is a misdemeanor, unless the ordinance makes it an infraction. A violation determined to be an infraction is punishable by a fine not exceeding \$100 for a first violation, by a fine not exceeding \$200 for a second violation of the same ordinance, and by a fine not exceeding \$500 for each additional violation of the same ordinance within one year.

This bill would raise the maximum fines for subsequent offenses of the same ordinance by authorizing a fine not exceeding \$500 for a second violation and not exceeding \$1000 for each additional violation of the same ordinance within one year.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25132 of the Government Code is
2 amended to read:
3 25132. (a) Violation of a county ordinance is a misdemeanor,
4 unless ~~by an ordinance it is made~~ *by an ordinance it makes it* an infraction. The

1 violation of a county ordinance may be prosecuted by county
2 authorities in the name of the people of the State of California, or
3 redressed by civil action.

4 (b) Every violation determined to be an infraction is punishable
5 by (1) a fine not exceeding one hundred dollars (\$100) for a first
6 violation; (2) a fine not exceeding ~~two hundred dollars (\$200)~~ *five*
7 *hundred dollars (\$500)* for a second violation of the same
8 ordinance within one year; *or* (3) a fine not exceeding ~~five hundred~~
9 ~~dollars (\$500)~~ *one thousand dollars (\$1,000)* for each additional
10 violation of the same ordinance within one year.

11 (c) Notwithstanding any other provision of law, a violation of
12 local building and safety codes determined to be an infraction is
13 punishable by (1) a fine not exceeding one hundred dollars (\$100)
14 for a first violation; (2) a fine not exceeding five hundred dollars
15 (\$500) for a second violation of the same ordinance within one
16 year; *or* (3) a fine not exceeding one thousand dollars (\$1,000) for
17 each additional violation of the same ordinance within one year
18 of the first violation.